

**MELLINGER KARTZMAN LLC**

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*Attorneys for Steven P. Kartzman, Chapter 7 Trustee*



Order Filed on January 30, 2023

by Clerk

U.S. Bankruptcy Court

District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In re:

**JAMES X. REZABALA and ERIKA  
M. PENACHI,**

Debtors.

Case No. 19-25396 (VFP)

Chapter 7

Honorable Vincent F. Papalia

**CONSENT ORDER FIXING DEBTORS' EXEMPTION CLAIMS**

The relief set forth on the following pages, numbered two (2) and (3), is hereby  
ORDERED.

**DATED: January 30, 2023**

A handwritten signature in black ink, appearing to read "Vincent F. Papalia", written over a horizontal line.

**Honorable Vincent F. Papalia  
United States Bankruptcy Judge**

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Debtor: James X. Rezabala and Erika M. Penachi  
Case No.: 19-25396 (VFP)  
Caption: Consent Order Fixing Debtors' Exemption Claims

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THIS MATTER having been brought before the Court by Steven P. Kartzman, the Chapter 7 Trustee (the "Trustee"), by and through his attorneys Mellinger Kartzman LLC, on the filing of an Application for Entry of a Consent Order in lieu of a formal Notice of Motion, and the Trustee and the Debtors, James X. Rezabala and Erika M. Penachi (collectively the "Debtors") having agreed to amicably resolve the issues on the terms set forth herein, as evidenced by the consent of the Debtors' counsel and the Trustee's counsel affixed hereto, and good cause having been shown, it is hereby

**ORDERED AS FOLLOWS:**

1. James X. Rezabala's ("Rezabala") shall be allowed an exemption claim of \$25,150.00 pursuant to 11 U.S.C. § 522(d)(1) against his interest in 3365 Kennedy Boulevard, Jersey City, NJ (the "Property").

2. Erika M. Penachi ("Penachi") shall be allowed an exemption claim of \$9,826 pursuant to 11 U.S.C. § 522(d)(5) against the Property

3. Neither Rezabala nor Penachi shall be entitled to any further exemption claim against the Property.

4. The terms of this Consent Order are subject to the Court's approval and the issuance of a Notice of Settlement (the "Notice") and the following:

- (a) If no objection to the Notice is filed, the issuance and docketing of a Certification of No Objection by the Clerk of the Bankruptcy Court; or
- (b) If any objection to the Notice is filed, the overruling of any such objection by this Court.

In the event that an objection to the settlement is filed and sustained, the parties shall be restored to their pre-settlement positions.

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Debtor: James X. Rezabala and Erika M. Penachi  
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5. The parties, and anyone who succeeds to their rights and responsibilities hereunder, including their successors and/or assigns, are bound by this Consent Order. This Consent Order is made for the benefit of the parties and all who succeed to their rights and responsibilities.

6. The Bankruptcy Court shall retain exclusive jurisdiction to adjudicate all matters arising under or in connection with this Consent Order.

7. A true copy of this Order shall be served upon the interested parties within 7 days of the date hereof.

*The undersigned hereby consent to the form and entry of the within Order:*

MELLINGER KARTZMAN LLC  
*Attorneys for Steven P. Kartzman  
As Chapter 7 Trustee*

By: Steven A. Jayson  
STEVEN A. JAYSON, ESQ.

Dated: January 20, 2023

WILLIAM P. BONOMO  
*Attorney for the Debtors*

By: William P. Bonomo  
WILLIAM P. BONOMO, ESQ.

Dated: January 20, 2023